

DEPARTMENT OF CONSUMER AFFAIRS
INITIAL STATEMENT OF REASONS
FOR THE PROPOSED AMENDMENTS TO THE
CONFLICT OF INTEREST REGULATIONS

Hearing Date: June 30, 2008

Subject Matter of Proposed Regulations: Conflict of Interest Code

Section Affected: 16 CCR 3830

Specific Purpose:

These proposed changes would update the existing Conflict of Interest Code primarily by adding to the list of designated employees. Therefore, a number of employees who were not previously required to file annual financial disclosure statements would now be required to file them. A small number of currently designated positions would be deleted.

The proposed changes would also amend the disclosure categories which set forth the types of investments, interests in real property and income which must be reported by designated employees. A number of disclosure categories were combined, reducing the number of disclosure categories from eleven to seven.

In addition, for consistency and better presentation, we have modified the regulations to put the agencies under the department in alphabetical order.

Underlying Data

Organization charts, duty statements

Business Impact

This regulation will not have any adverse economic impact on businesses.

Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the department would be either more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome to affected private persons than the proposed regulation.

Factual Basis

Designated Employees

Disclosure Categories

Administration Executive Offices

Director	1
Chief Deputy Director	1
Senior Advisor to the Director	1
Deputy Director, External Affairs	1
Deputy Director, Strategic Planning and Organizational Development	1
Deputy Director, Board Relations	1
Assistant Deputy Director, Board Relations	1
Deputy Director, Bureau Oversight Relations	1
Deputy Director, Communications	1
Chief, Interdepartmental Relations	1
Associate Governmental Program Analyst	1

The positions of the Senior Advisor to the Director, Deputy Director, External Affairs, and Deputy Director, Strategic Planning and Organizational Development, and Deputy Director, Communications, have been added. Three positions (Assistant Deputy Director, Board Relations; Chief, Interdepartmental Relations; and Associate Governmental Program Analyst) have been eliminated. The Deputy Director, Bureau Oversight Relations, was renamed to Deputy Director, Bureau Relations.

~~Communications and Education Division~~

Deputy Director	1
Information Officer II	1

This division was eliminated. The Information Officer position was transferred to the Consumer and Community Relations Division.

~~Consumer Relations and Outreach Division~~ Consumer and Community Relations Division

Deputy Director	1
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Chief, Consumer Information Center.....	3,4, 2,5
Manager, Consumer Information Center	3,4, 2,5
Manager, Consumer Relations Unit	3,4, 2,5
Manager, Management Support Unit.....	3,4,5
Chief, Arbitration Certification Program	7,8,11
Information Officer, Public Affairs Office.....	2,5
Chief, Complaint Mediation Resolution Program	3,4, 2,5
Managers, Field Offices of the Complaint Mediation Resolution Program.	3,4, 2,5
Chief, Outreach Program.....	2,5
Manager, Office of Publications, Design and Editing.....	2,5
Manager, Unlicensed Activity Program	2,5

The Department reorganized the Consumer Relations and Outreach Division, and reamed it “Consumer and Community Relations Division.” The position of Manager, Management Support Unit, was deleted. The Arbitration Certification Program became a separate entity reporting directly to the Director’s Office. The Department created three new offices: Office of Publications, Design and Editing, Outreach Program, and Unlicensed Activity Program.

Division of Administration and Technology Office of Administrative and Support Services

Deputy Director	1
Chief, Office of Administrative Services.....	5
Fiscal Officer, Fiscal Operations Office	5
Accounting Administrator II	5
Accounting Administrator I, Cashiering/Payroll	5
Staff Admin. Analyst Manager, Accounts Receivable/Revenue.....	5
Accounting Administrator I, General Ledger	5
Staff Admin. Analyst Manager, Calstars.....	5
Accounting Administrator I, Accounts Payable	5
Staff Services Manager II, Budget Office	5
Staff Services Manager III, Business Services Office.....	5
Staff Services Manager II, Business Services Office	5
Associate Governmental Program Analyst	5
Associate Business Management Analyst.....	5
Staff Services Analyst	5
Business Services Assistant.....	5
Staff Services Manager I, Facilities and Planning Unit	5
Business Services Assistant.....	5
Business Services Officer	5
Associate Space Planner	5
Associate Business Management Analyst.....	5
Staff Services Manager I, Contracts Unit.....	5
Associate Governmental Program Analyst	5

Designated Employees

Disclosure Categories

Staff Services Analyst	5
Business Services Officer, Purchasing Unit <u>Staff Services Manager I,</u>	
<u>Business Management Services Unit</u>	5
<u>Business Services Officer II</u>	5
Business Services Assistant.....	5
Business Services Officer I.....	5
<u>Associate Governmental Program Analyst</u>	5
<u>Staff Services Analyst</u>	5
<u>Staff Services Manager I, Business Resources Unit</u>	5
Office Services Supervisor III, Support Services Unit	5
<u>Office Services Supervisor II</u>	5
Assistant Information Systems Analyst.....	5
Manager Personnel Officer , Office of Human Resources	5
<u>Assistant Personnel Officer</u> , Office of Human Resources	5
Labor Relations Specialist, Labor Relations Office	5
Staff Services Manager II, Training and Consulting Office	5
Chief Information Officer, Office of Information Services.....	5
Section Chiefs.....	5
Team Supervisors.....	5

The Division of Administration and Technology was renamed the Office of Administrative and Support Services. The position of the Accounting Administrator II was deleted. The positions underlined were added to the Office.

Energy Unit

Chief	9
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The Energy Unit was eliminated.

E-Government and Special Programs Division

Chief	9
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This office was eliminated.

Equal Employment Opportunity Office

Chief	5
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Designated Employees

Disclosure Categories

Office of Examination Resources

Staff Services Manager III, Chief.....	5
Personnel Selection Consultant II, Testing and Measurement Specialist <u>Supervisor</u>	5
Personnel Selection Consultant I.....	5
Staff Services Manager I, Operational Operations Manager.....	5
Staff Associate Information Systems Analyst (Specialist), Administrative <u>Support</u>	5
Testing Validation and Development Specialist II, Testing and Measurement Specialist	5
Test Validation and Development Specialist I, Testing and Measurement Specialist	5
Staff Services Analyst, Test Validation and Development Specialist	5

The position of Personnel Selection Consultant I was added. Other amendments are to reflect a change in the name of the position.

Information Security Office

Chief	9 6
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Internal Audit Office

Chief	9 6
Senior Staff Management Auditor	9 6
Associate Management Auditors.....	9 6

The amendment is to reflect a change in the name of the position.

Division of Legal Affairs

Deputy Director	1
Supervising Counsel	1
Staff Counsel.....	1
Coordinator, Dispute Resolution Office.....	1

Legislative and Regulatory Review Division

Deputy Director	1
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Designated Employees

Disclosure Categories

Assistant Deputy Director	1
Manager	1

Policy, Research & Planning Division

Chief.....	1
Staff Services Manager II	1
Research Program Specialist II	1

This division was eliminated.

Office of Privacy Protection

Chief.....	9
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This office was transferred to the State and Consumer Services Agency effective January 1, 2008.

All Members and Executive Officers of Boards Including But Not Limited to the following Boards:

California Board of Accountancy

Board Members	7,8,9,11	5,6
Executive Officer.....	7,8,9,11	5,6
Assistant Executive Officer.....	7,8,9,11	5,6
Chief of Enforcement.....	7,8,9,11	5,6
Supervising Investigative CPA	7,8,9,11	5,6
Chief, Licensing Division.....		5,6
Manager, Exam and License Renewal & Continuing Competency Units.....		5,6
Manager, Initial Licensing and Practice Privilege Units		5,6
Manager, Administrative Services		5,6
SISA / Network Administrator.....		6
AISA / Systems Analyst.....		6
APA / Programmer Analyst.....		6
AISA / Staff Support Analyst.....		6
AGPA / Executive Analyst		5,6
SSA / Contract and Expenditure Tracking Analyst		6
Business Services Officer		6

Designated Employees

Disclosure Categories

Members of the following committees:

Qualifications Committee	7,8,11 5
Administrative Committee.....	7,8,11 5
Report Quality Monitoring Committee	7,8,11

The newly designated positions were determined to make or participate in governmental decisions. The “Report Quality Monitoring Committee” is eliminated because it no longer exists.

Acupuncture Board

Board Members	7,8,9,11 5,6
Executive Officer.....	7,8,9,11 5,6
Associate Governmental Program Analyst.....	5,6
Staff Services Analyst.....	5,6

The newly designated positions were determined to make or participate in governmental decisions.

California Architects Board

Board Members	7,9,11 5,6
Executive Officer.....	7,9,11 5,6
Assistant Executive Officer.....	7,9,11 5,6
Staff Services Analyst, Administration Analyst	7,9,11 5,6
Staff Services Analyst, Communications Analyst	5,6
Associate Governmental Program Analyst, Enforcement Officer	7,9,11 5,6
Associate Governmental Program Analyst, Enforcement Analyst.....	7,9,11
Associate Governmental Program Analyst, Exam Program Analyst	7,9,11 5,6
Staff Services Analyst, Written Exam Coordinator	7,9,11 5,6
Management Services Technician Staff Services Analyst, Oral Exam Coordinator	7,9,11 5,6
Staff Services Manager I, Landscape Architects Technical Committee (LATC), Program Manager.....	7,9,11 5,6
Associate Governmental Program Analyst, LATC Special Projects Analyst.....	5,6
Staff Services Analyst, LATC Enforcement Coordinator.....	7,9,11 5,6
Staff Services Analyst, LATC Exam Coordinator	7,9,11 5,6
Architect Consultant.....	7,9,11 5,6

Members of the following committees:

Professional Qualifications Committee	7,8,11 5
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Designated Employees

Disclosure Categories

Examination Committee	7,8,11 5
Regulatory and Enforcement Committee	7,8,11 5
Communications Committee	7,8,11 5
<u>Landscape Architects Technical Committee.....</u>	<u>5</u>
Landscape Architects Technical Committee Education Subcommittee	7,8,11 5

The Board either added the positions underlined or renamed the positions. The Landscape Architects Technical Committee is a committee which makes or participates in governmental decisions.

State Athletic Commission

Commission Members.....	7,9,10,11 5,6,7
Executive Officer.....	7,9,10,11 5,6,7
<u>Assistant Executive Officer</u>	<u>5,6,7</u>
Chief Inspector.....	7,9,10,11 5,6,7
Assistant Chief Inspector.....	7,9,10,11 5,6,7

The Assistant Executive Officer position was added because the person in this position makes or participates in governmental decisions.

Board of Barbering and Cosmetology

Board Members	7,8,9,10,11 5,6,7
Executive Officer.....	7,8,9,10,11 5,6,7
Assistant Executive Officer.....	7,8,9,10,11 5,6,7
Manager, Administration Section	7,8,9,10,11 5,6,7
Manager, Enforcement Section.....	7,8,9,10,11 5,6,7
Supervising Inspector III, Inspection Section	7,8,9,10,11 5,6,7
Supervising Cosmetology Examiner, Examination Section	7,8,9,10,11 5,6,7

Board of Behavioral Sciences

Board Members	7,8,9,11 5,6
Executive Officer.....	7,8,9,11 5,6
Staff Manager I/Staff Manager II.....	7,8,9,11 5,6

Contractors' State License Board

Board Members	7,8,9,11 5,6
Registrar	7,8,9,11 5,6
Chief Deputy Registrar (CEA)	7,8,9,11 5,6

Designated EmployeesDisclosure Categories

Staff Counsel	7,8, 9, 11
Research Program Specialist I, Budgets	6
Chief, Administration Division	9 6
Manager, Business and Support Services Payables	9 6
Manager, Personnel	6
Associate Governmental Program Analyst, Business Services, Payables and Contracts	9 6
Business Services Officer	9
Business Services Assistant, Purchasing	9 6
Associate Governmental Program Analyst B Management Analysis	9
Staff Services Analyst Management Analysis	9
Chief, Enforcement Division (CEA)	7,9,11 5,6
Enforcement Supervisors I & II	7,9,11 5,6
Enforcement Representatives I & II	7,9,11 5,6
Consumer Service Representatives	7,9,11 5,6
Manager, Enforcement Analytical Support and Training	7,9,11
Associate Governmental Program Analyst	7,9,11 5,6
Staff Services Analyst	7,9,11 5,6
Chief, Licensing Division (CEA)	7,9,11 5,6
Managers, License Management/Processing Unit Operations	7,9,11 5,6
Chief, Office of Public Information	7,9,11 5,6
Information Officer I & II	7,9,11 5,6
Chief, Legislation Coordinator (CEA)	7,9,11 5,6
Manager, Testing Division	7,9,11 5,6
Supervising Personnel Specialist Consultant I, Examination Development/Maintenance (EDM)	5,6
Personnel Selection Consultant I & II, Examination Development/Maintenance EDM	7,9,11 5,6
Test Validation Development Specialists I & II, EDM	5,6
Staff Services Associate Governmental Program Analyst, EDM	7,9,11 5,6
Associate Information Systems Analyst (Sup.), Examination Administration	7,9,11 5,6
Staff Services Analyst, Examination Administration	7,9,11 5,6
Chief, Office of Information Technology	5,6
Staff Information Systems Analyst (Sup.)	5,6
Associate Information Systems Analyst, IT Contracts	5,6

The positions of Staff Counsel, AGPA and SSA, Management Analysis, and Manager, Enforcement Analytical Support and Training, were eliminated. The newly designated positions were determined to make or participate in governmental decisions.

Court Reporters Board

Board Members	7,8,9,11 <u>5,6</u>
Executive Officer.....	7,8,9,11 <u>5,6</u>
<u>Associate Governmental Program Analyst.....</u>	<u>5,6</u>
<u>Staff Services Analyst.....</u>	<u>5,6</u>

The Board determined that the Associate Governmental Program Analyst and Staff Services Analyst make or participate in governmental decisions.

Dental Board of California

Board Members	7,8,9,11 <u>5,6</u>
Executive Officer.....	7,8,9,11 <u>5,6</u>
Assistant Executive Officer.....	7,8,9,11 <u>5,6</u>
Supervising Investigator II.....	7,8,9,11 <u>5,6</u>
Supervising Special Investigator I	7,8,9,11 <u>5,6</u>
Enforcement Supervisor (Staff Services Manager I)	7,8,9,11 <u>5,6</u>
Diversion Evaluation Committee Members.....	9 <u>6</u>
Members of the Committee on Dental Auxiliaries.....	7,8,11 <u>5</u>
Executive Officer	7,8,9,11 <u>5,6</u>
<u>Associate Governmental Program Analyst</u>	<u>5,6</u>
Staff Services Analyst	7, 8, 9, 11 <u>5,6</u>

Members of the following subcommittees of the Committee on Dental Auxiliaries:

RDA Written Test Construction Subcommittee	7, 8, 11 <u>5</u>
RDA Practical Examination Subcommittee	7, 8, 11 <u>5</u>
RDH Examination Subcommittee.....	7, 8, 11 <u>5</u>
EF Examination Subcommittee	7, 8, 11 <u>5</u>

The Associate Governmental Program Analyst makes or participates in governmental decisions.

Board for Geologists and Geophysicists

Board Members	7,8,9,11 <u>5,6</u>
Executive Officer.....	7,8,9,11 <u>5,6</u>
Members of the Examining Committee	7,8,9,11 <u>5,6</u>

State Board of Guide Dogs for the Blind

Board Members	7,9,11 5,6
Administrative Assistant <u>Executive Officer</u>	7,9,11 5,6

The amendment is to reflect a change in the name of the position.

Medical Board of California

Board Members	7,8,9,11 5,6
<u>Executive Director</u>	5,6,7
Deputy Executive Director	7,8,9,10,11 5,6,7
Chief of Legislation	7,8,9,10,11 5,6,7
Medical Director	7,8,9,10,11
Legal Counsel.....	7,8,9,10,11 5,6,7

Enforcement

Chief of Enforcement	7,8,9,10,11 5,6,7
Deputy Chief of Investigations and Enforcement	7,8,9,10,11 5,6,7
Deputy Chief of Enforcement, Field Operations	7,8,9,10,11
<u>Deputy Chief, Office of Standards and Training</u>	5,6,7
Supervising Investigator II	7,8,9,10,11 5,6,7
Medical Consultant	7,8,9,10,11 5,6,7

Licensing

Chief of Licensing.....	7,8,9,11 5,6
Medical Consultant	7,8,9,11 5,6

Division of Administration Business Services Office

Program Manager <u>Business Services Manager</u>	7,9,11 5,6
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Diversion Evaluation Committee

Members	9
Diversion Program Administrator	9
Information Systems Branch Program Manager	9

The Medical Director position has been abolished. The Division of Administration is now called "Business Services Office." The Field Operations was reorganized as the

Designated Employees

Disclosure Categories

Office of Standards and Training.

Business and Professions Code section 2358 sunsets the Diversion Program effective July 1, 2008.

Occupational Therapy Board

Board Members	7,8,9,11 5,6
Executive Officer.....	7,8,9,11 5,6
<u>Associate Governmental Program Analyst.....</u>	<u>5,6</u>
Staff Services Analyst.....	7,8,9,11 5,6

The Associate Governmental Program Analyst makes or participates in governmental decisions.

Board of Optometry

Board Members	7,8,9,10,11 5,6,7
Executive Officer.....	7,8,9,10,11 5,6,7
Enforcement Coordinator	7,8,9,10,11 5,6,7
Associate Governmental Program Analyst/ <u>Staff Services Analyst - Licensing</u> Coordinator.....	7,8,9,10,11 5,6,7
Associate Governmental Program Analyst B B Enforcement.....	7,8,9,10,11 5,6,7

Osteopathic Medical Board

Board Members	7,8,9,11 5,6
Executive Director	7,8,9,11 5,6
Special Consultant	7,8,9,11 5,6

Board of Pharmacy

Board Members	7,8,9,10,11 5,6,7
Executive Officer.....	7,8,9,10,11 5,6,7
Assistant Executive Officer.....	7,8,9,10,11 5,6,7
Supervising Inspector.....	7,8,9,10,11 5,6,7
Inspectors	7,8,9,10,11 5,6,7
<u>Staff Services Managers.....</u>	<u>5,6,7</u>
<u>Staff Services Manager I (Specialist – Legislation and Regulation).....</u>	<u>5,6,7</u>
<u>Staff Services Manager I (Specialist – Pharmacists Recovery Program)</u>	<u>5,6,7</u>

The Board pluralized Supervising Inspector and Inspector to emphasize that all

Supervising Inspectors and Inspectors should be designated. In examining the criteria for positions that make or participate in governmental decisions, the Board has added the managers to the Conflict of Interest Regulations.

Physical Therapy Board

Board Members	7,8,9,11 5,6
Executive Officer.....	7,8,9,11 5,6
<u>Assistant Executive Officer.....</u>	<u>5,6</u>
<u>Associate Governmental Program Analysts.....</u>	<u>7,8,9,11</u>

The Board has added the position of Assistant Executive Officer (AEO) which is designated as a management position. The duties of the AEO include providing advice and recommendations to the Board regarding policy issues. With the addition of the AEO, none of the Associate Governmental Program Analysts provide advice or recommendations to the Board without substantive review by the Executive Officer or AEO.

Physician Assistant Committee

Board Members	7,8,9,11 5,6
Executive Officer.....	7,8,9,11 5,6
Associate Governmental Program Analysts.....	7,8,9,11 5,6

Board of Podiatric Medicine

Board Members	7,8,9,11 5,6
Executive Officer.....	7,8,9,11 5,6
Associate Governmental Program Analyst - <u>Administration</u>	7,8,9,11 5,6
<u>Associate Governmental Program Analyst – Licensing Coordinator.....</u>	<u>5,6</u>
<u>Associate Governmental Program Analyst – Enforcement.....</u>	<u>5,6</u>

The Board has added the two Associate Governmental Program Analysts to the Conflict of Interest regulations.

Board for Professional Engineers and Land Surveyors

Board Members	7,8,9,11 5,6
Executive Officer.....	7,8,9,11 5,6
Assistant Executive Officer.....	7,8,9,11 5,6

Designated Employees

Disclosure Categories

Staff Services Manager, Enforcement	5,6
Senior Engineering Registration Examiner	7,9,10,11 5,6,7
Land Surveyor Consultant	7,9,11 5,6
Technical Advisory Committee Members	7,8,9,11 5,6

The Staff Services Manager, Enforcement, was determined to be a person who makes or participates in governmental decisions.

Board of Psychology

Board Members	7,8,9,11 5,6
Executive Officer	7,8,9,11 5,6
Assistant Executive Officer	7,8,9,11 5,6

Board of Registered Nursing

Board Members	7,8,9,11 5,6
Executive Officer	7,8,9,11 5,6
Assistant Executive Officer	7,8,9,11 5,6
Supervising Nursing Education Consultants	7,8,9,11 5,6
Nursing Education Consultants	7,8,9,11 5,6
Diversion Evaluation Committee Members	7,8,9,11 5,6
Diversion Program Manager	7,8,9,11 5,6
Enforcement Program Manager	7,8,9,11 5,6
Manager, Licensing and Administrative Services	7,8,9,11 5,6
Manager, Licensing Standards and Evaluation; Advanced Practice	7,8,9,11 5,6

Respiratory Care Board

Board Members	7,8,9,11 5,6
Executive Officer	7,8,9,11 5,6
Assistant Executive Officer	7,8,9,11 5,6

Speech-Language Pathology and Audiology Board

Board Members	7,8,9,11 5,6
Executive Officer	7,8,9,11 5,6
Associate Governmental Program Analyst	7,8,9,11 5,6
Staff Services Analyst	7,8,9,11 5,6

Structural Pest Control Board

Board Members	7,8,9,11 5,6
Registrar	7,8,9,11 5,6
Assistant Registrar.....	7,8,9,11 5,6
Chief Enforcement Officer.....	7,8,9,11 5,6
Pest Control Specialist.....	7,8,11 5
Disciplinary Review Committee Members	7,8,9,11 5,6

Veterinary Medical Board

Board Members	7,8,9,11 5,6
Executive Officer.....	7,8,9,11 5,6
Assistant Executive Officer.....	5,6
Registered Veterinary Technician Committee Members.....	7,8,11 5
Drug and Alcohol Diversion Evaluation Committee Members	9 6
Program Manager	9 6

The Board has added the position of the Assistant Executive Officer to the regulations.

Board of Vocational Nursing and Psychiatric Technicians

Board Members	7,8,9,11 5,6
Executive Officer.....	7,8,9,11 5,6
Assistant Executive Officer.....	7,8,9,11 5,6
Supervising Nursing Education Consultants	7,8,9,11 5,6
Nursing Education Consultants	7,8,9,11 5,6
Staff Services Manager	7,8,9,11 5,6

All Bureau Chiefs and Deputy Bureau Chiefs, Including But Not Limited to the following Bureaus:**Bureau of Automotive Repair**

Bureau Chief	7,9,10,11 5,6,7
Assistant Chief, Smog Check Policy Development & Oversight	5,6,7
Deputy Chief, Smog Check Operations and Engineering	
Services Division	7,9,10,11 5,6,7
Supervising Air Quality Engineer, Technical Services Branch.....	5,6,7
Supervising Air Quality Engineer, Engineering and Research Branch.....	5,6,7

Designated Employees

Disclosure Categories

Supervising Air Quality Engineer, Smog Check Operations	7,9,10,11	5,6,7
Data Program Manager III, Technology Services Branch.....		5,6,7
Staff Services Manager II, California Smog Check Program.....	7,9,10,11	
Staff Services Manager I, Contracts Management Unit.....	7,9,10,11	
Deputy Chief, Consumer Assistance and Administration Division	7,9,10,11	5,6,7
Program Manager II, Consumer Assistance Program.....	7,9,10,11	5,6,7
Staff Services Manager II, Administrative Support Services	7,9,10,11	5,6,7
Staff Services Manager I, Contracts.....		5,6,7
Associate Governmental Program Analyst, Contracts	7,9,10,11	5,6,7
Staff Services Analyst, Contracts	7,9,10,11	
Staff Services Manager I, Business Services.....		5,6,7
Staff Services Analyst, Facilities		5,6,7
Staff Services Analyst, Purchasing.....	7,9,10,11	5,6,7
Office Program Technician, Contract and Purchasing Support.....	7,9,10,11	5,6,7
Staff Services Manager I, Personnel Unit.....		5,6,7
Associate Governmental Program Analyst, Personnel.....		5,6,7
Staff Services Analyst, Personnel.....		5,6,7
Deputy Chief, Field Operations and Enforcement	7,9,10,11	5,6,7
Program Manager II, Vehicle Documentation Program	7,9,10,11	5,6,7
Program Manager I, Vehicle Documentation Program.....		5,6,7
Program Manager II, Smog Check Field Operations Program	7,9,10,11	5,6,7
Program Manager I, Enforcement Field Operations Headquarters	7,9,10,11	5,6,7
Program Manager I, Complaint Intake		5,6,7
Program Manager I, Field Operations (North)	7,9,10,11	5,6,7
Program Manager I, Field Operations (South)	7,9,10,11	5,6,7
Program Manager II, Automotive Repair Program.....	7,9,10,11	5,6,7
Program Manager I, Auto Body Program	7,9,10,11	
Program Manager I, Field Operations (North)	7,9,10,11	5,6,7
Program Manager I, Field Operations (South)	7,9,10,11	5,6,7

The newly designated positions were determined to make or participate in governmental decisions.

Cemetery and Funeral Bureau

Chief	7,9,11	5,6
Deputy Chief	7,9,11	5,6
Supervising Governmental Auditor	7,9,11	5,6
General Auditor III	7,9,11	5,6

Designated Employees

Disclosure Categories

General Auditor II	7,9,11	<u>5,6</u>
Field Representatives	7,9,11	<u>5,6</u>
Associate Governmental Program Analyst.....	7,9,11	<u>5,6</u>

Bureau of Security and Investigative Services

Bureau Chief	7,8,9,11	<u>5,6</u>
Deputy Chief	7,8,9,11	<u>5,6</u>
Staff Services Managers.....		<u>5,6</u>
Alarm Company Disciplinary Committee Members.....	7,8,9,11	<u>5,6</u>
Private Security Operator Disciplinary Committee Members	7,8,9,11	<u>5,6</u>

The Bureau has determined that the Staff Service Managers make or participate in governmental decisions.

Bureau of Home Furnishings and Thermal Insulation

Bureau Chief	7,9,10	<u>5,6,7</u>
Manager, Licensing		<u>5,6,7</u>
Manager, Laboratory and Field Operations.....	7,9,10	<u>5,6,7</u>
Manager, Research and Development, and Thermal Insulation Program	7,9,10	
Manager, Enforcement and Compliance	7,9,10	<u>5,6,7</u>
Supervising Chemist.....	7,9,10	<u>5,6,7</u>

The Bureau was reorganized as reflected in the above changes.

Bureau of Electronic and Appliance Repair

Bureau Chief	7,9,11	<u>5,6</u>
Program Manager.....	7,9,11	
Staff Services Manager I (Policy, Licensing, Administration, Compliance and Field Operations).....	7,9,11	<u>5,6</u>

The Bureau was reorganized as reflected in the above changes.

Bureau of Hearing Aid Dispensers

Chief	7,8,9,11	<u>5,6</u>
Hearing Aid Dispensers Examining Committee Members.....	7,8,9,11	<u>5,6</u>

Bureau of Naturopathic Medicine

Program Manager 5,6

The Bureau was added to the department since the last amendments to the Conflict of Interest regulations.

Bureau for Private Postsecondary and Vocational Education

Chief 7,8,9,11
 Deputy Bureau Chief 7,8,9,11
 Private Postsecondary Education Administration 7,8,9,11
 Private Postsecondary Education Senior Specialist 7,8,9,11
 Private Postsecondary Education Specialist 7,8,9,11
 Staff Services Manager III, Administrative Services Unit 7,8,9,11
 Staff Services Manager I 7,8,9,11

The Bureau sunsetted on July 1, 2007.

Professional Fiduciaries Bureau

Chief 5,6

The Bureau was created in 2006.

Bureau of Telephone Medical Advice Services

Chief 7,8,9,11 5,6
 Associate Governmental Program Analyst 5,6

The Associate Governmental Program Analyst makes or participates in governmental decisions.

Division of Investigation

Chief 2,3,4,5,11
 Deputy Chief 2,3,4,5,11
 Supervising Investigator II 2,3,4,5,11
 Staff Services Manager 9 6

Designated Employees

Disclosure Categories

Consultants *

* Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The (chief executive officer) may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The (chief executive officer's) determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

Disclosure Categories

~~For purposes of the following, "business position" means status as a director, officer, partner, trustee, employee, or holder of a position of management in any business entity.~~

Category 1

Designated officials or employees assigned to this category must report:

~~All sources of income, interests in real property, investments in and business positions in business entities.~~ All interests in real property, as well as investments, business positions and sources of income, including gifts, loans and travel payments.

This new language is the model language suggested by FPPC for full disclosure.

Category 2

~~Designated officials or employees assigned to this category must report:~~

~~Interests in real property, investments and business positions in, and sources of income from a business entity if, within the previous four years, the Department of Consumer Affairs has taken any civil or administrative action against such entity, or has intervened in such action.~~

This category is deleted and combined with the new Category 2.

Category 3

Designated officials or employees assigned to this category must report:

All interests in real property, and investments and business positions in, and any income, including gifts, loans and travel payments from, a business entity or profession individual where the business entity or individual's profession is regulated by or is of the type which qualifies for licensing or continuing education credit by any licensing agency within the Department of Consumer Affairs, or if, within the previous four years, the Department of Consumer Affairs has taken any civil or administrative action against such entity, or has intervened in such action.

This new language combines the former Categories 2, 3, and 4.

Category 4

Designated officials or employees assigned to this category must report:

~~Interests in real property, investments and business positions in, and any income from, an educational institution or continuing education provider of the type to offer programs which qualifies a person for licensing or qualifies for continuing education credit by any of the licensing agencies in the Department of Consumer Affairs.~~

This category was combined with the new Category 2.

Category 5

Designated officials or employees assigned to this category must report:

~~Interests in real property, investments and business positions in, and any income from a business entity if, within the previous two years, the entity is of the type which has contracted to provide goods or services to the Department of Consumer Affairs or any of the licensing agencies within the department.~~

This category was combined with the new Category 6.

Category 6 4

Designated officials or employees assigned to this category must report:

~~Interests in real property, i~~Investments and business positions in, and any income, including gifts, loans and travel payments from, a business entity where the entity is engaged in the manufacturing, wholesaling or retailing of any equipment or product required to be approved or meet standards set by any licensing agency within the Department of Consumer Affairs.

Category 7

~~Designated officials or employees assigned to this category must report:~~

~~Interests in real property, investments and business positions in, and any income from, a business entity or profession where the business entity or profession is regulated by the official's or employee's licensing agency.~~

Category 8

~~Designated officials or employees assigned to this category must report:~~

~~Interests in real property, investments and business positions in, and any income from, an educational institution or continuing education provider where the institution or provider offers programs or courses qualifying for licensing or continuing education credit by the official's or employee's licensing agency.~~

Category 5

Designated officials or employees assigned to this category must report:

All interests in real property and investments and business positions in, and any income, including gifts, loans and travel payments from, a business entity, professional association or individual where the business entity, professional association or individual's profession is regulated by or offers programs or courses qualifying for licensing or continuing education credit by the official's or employee's licensing agency.

This category combines former Categories 7, 8, and 11. The language “educational institution or continuing education provider” was omitted since the amended language would include these economic interests.

Category 9 6

Designated officials or employees assigned to this category must report:

~~Interests in real property, i~~Investments and business positions in, and any income, including gifts, loans and travel payments from, a business entity if, within the previous two years, the entity is of the type which has contracted with the official's or employee's immediate employer (e.g., department, division or licensing agency) to provide goods or services.

Category 10 7

Designated officials or employees assigned to this category must report:

~~Interests in real property, i~~Investments and business positions in, and any income, including gifts, loans and travel payments from, a business entity where the entity is engaged in the manufacturing, wholesaling, or retailing of any equipment or product required to be approved or meet standards set by the official's or employee's licensing agency.

Category 11

~~Designated officials or employees assigned to this category must report:~~

~~Interests in real property, investments and business positions in, and any income from, a business entity or professional association where the members are regulated by the official's or employee's licensing agency.~~

This category was combined with the new Category 5.